

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 755 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? Yes
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?  
2 to 5 No

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VAGHRI KALABHAI KESHUBHAI

Versus

STATE OF GUJARAT

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Appearance:

MR AD SHAH for Petitioner

Mr. K.T. Dave, APP for Respondent No. 1

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CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 06/03/98

ORAL JUDGEMENT

1. Heard learned Advocate Mr.A.D. Shah appearing for the petitioner. Rule. Mr. K.T. Dave, learned APP waives service of rule. By consent of the parties, the application is finally heard.

2. The petitioner is arrested by Investigating Officer attached with Bhavnagar City `B' Police Station,

in respect to CR No.I-26/98 for the offences punishable under Sections 302 of the Indian Penal Code.

3. The parties do not press for reasoned order.

4. Having regard to the facts and circumstances apparent from the record and the submission urged at the Bar the petition is allowed and petitioner is ordered to be released on Bail on execution of a bond of Rs.5,000/- (Rupees five thousand only) and also furnishing one surety for the like amount to the satisfaction of the lower court and subject to the conditions stated hereunder:

(a) not take undue advantage of his liberty or misuse his liberty;

(b) not act in a manner injurious to the interest of the prosecution;

(c) maintain law and order;

(d) mark his presence before Bhavnagar City 'B' Police Station on every 1st and 15th of every month between 9.00 a.m. and 2.00 p.m

5. If breach of any of the above conditions is committed, the Sessions Judge, Bhavnagar will be free to issue warrant or take appropriate action in the matter.

Bail before the lower Court having jurisdiction to try the case.

Rule is made absolute. Direct service is permitted.

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p.n.nair